

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

WILLIAM OTIS ARREDONDO, JR.

PLAINTIFF

v.

Civil No. 04-5197

JEFF BLAND, Parole Officer; and
CAPTAIN HUNTER PETRAY

DEFENDANTS

REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE

This is a civil rights action filed under the provisions of 42 U.S.C. § 1983. The plaintiff proceeds pro se and IFP.

On September 19, 2005, a report and recommendation was entered recommending that defendants' summary judgment motion be granted in part and denied in part (Doc. 48). The report and recommendation was adopted on October 25, 2005 (Doc. 50).

On November 2, 2005, this case was scheduled for an evidentiary hearing (Doc. 51). The hearing was to be held on January 31, 2006.

On November 7, 2005, the plaintiff filed a motion to dismiss this case (Doc. 56). He also filed a motion to dismiss another civil rights case he has pending, *Arredondo v. Bland, et al.*, civil no. 05-5077.

Plaintiff indicates he has given the matter careful consideration and would like this case dismissed. He states he is getting released from prison and does not need the added stress that the lawsuit would cause. I therefore recommend that his motion to dismiss be granted and the case be dismissed with prejudice.

The parties have ten days from receipt of this report and recommendation in which to file written objections pursuant to 28 U.S.C. § 636(b)(1). The failure to file timely objections may result in waiver of the right to appeal questions of fact. The parties are reminded that objections must be both timely and specific to trigger de novo review by the district court.

DATED this 9th day of November 2005.

/s/ Beverly Stites Jones
UNITED STATES MAGISTRATE JUDGE